

DOCKET NO.: 282575US8X



JPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Jean-Luc PERON

SERIAL NO: 10/806,524

GROUP: 2661

FILED: March 23, 2004

EXAMINER:

FOR: DATA PROCESSING APPARATUS AND METHOD

LETTER

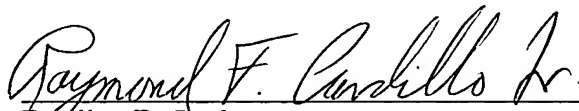
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are two European Search Reports for the Examiner's consideration.
The reference(s) cited therein have been previously filed on August 2, 2004.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
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Direction générale 1



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| RECD (LONDON) | 183 APR 2006 |
| ANNO | |
| ENTRY | |
| FOR | 25 NOV |

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SOUTHAMPTON

13 APR 2006

Corresponding foreign's search
report noted on progress for

Date

13.04.06

Reference
P016714EPA - JD

Application No./Patent No.
06075505.5 -

Applicant/Proprietor

SONY UNITED KINGDOM LIMITED

Communication

The extended European search report is enclosed.

The extended European search report includes, pursuant to Rule 44a EPC, the European search report (R. 44 EPC) or the partial European search report/ declaration of no search (R. 45 EPC) and the European search opinion.

Copies of documents cited in the European search report are attached.

☒ 2 additional set(s) of copies of such documents is (are) enclosed as well.

The following have been approved:

☒ Abstract

☐ Title

☐ the Abstract was modified and the definitive text is attached to this communication.

The following figure will be published together with the abstract: 7

Refund of the search fee

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





| DOCUMENTS CONSIDERED TO BE RELEVANT | | | |
|---|---|---|--|
| Category | Citation of document with indication, where appropriate, of relevant passages | Relevant to claim | CLASSIFICATION OF THE APPLICATION (IPC) |
| A,D | EUROPEAN TELECOMMUNICATIONS STANDARDS INSTITUTE: "Digital Video Broadcasting (DVB);Framing structure, channel coding and modulation for digital terrestrial television" ETSI EN 300 744 V1.4.1, January 2001 (2001-01), XP002207124 * page 18 - page 20 * * page 27; figure 10 * ----- | 1-11 | H04L27/26 H03M13/27 H04N5/44 H04L27/26 H03M13/27 H04N5/44 |
| A | US 6 353 900 B1 (STEIN JEREMY ET AL) 5 March 2002 (2002-03-05) * abstract * * column 3, line 31 - column 6, line 46 * ----- | 1,5,9-11 | |
| A | ANONYMOUS: "Features of ISDB-T" DIGITAL BROADCASTING EXPERTS GROUP (DIBEG), [Online] 28 July 2000 (2000-07-28), XP002249911 Retrieved from the Internet: URL:http://www.dibeg.org/PressR/Brazil/com ments730b.PDF> [retrieved on 2003-08-01] * page 1, paragraph 4 * ----- | 1,5,9-11 | |
| | | | TECHNICAL FIELDS SEARCHED (IPC) |
| | | | H04L H03M H04N |
| The present search report has been drawn up for all claims | | | |
| Place of search The Hague | | Date of completion of the search 5 April 2006 | Examiner Koukourlis, S |
| CATEGORY OF CITED DOCUMENTS | | | |
| X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document | | T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document | |

EP 06 07 5505

05-04-2006

| Patent document cited in search report | Publication date | Patent family member(s) | Publication date | |
|---|---------------------|----------------------------|---------------------|------------|
| US 6353900 | B1 | 05-03-2002 | US 6304985 B1 | 16-10-2001 |



The examination is being carried out on the **following application documents**:

Description, Pages

| | | | | |
|------|-------------|------------|----------------|------------|
| 1-17 | received on | 06.03.2006 | with letter of | 03.03.2006 |
|------|-------------|------------|----------------|------------|

Claims, Numbers

| | | | | |
|------|-------------|------------|----------------|------------|
| 1-11 | received on | 06.03.2006 | with letter of | 03.03.2006 |
|------|-------------|------------|----------------|------------|

Drawings, Sheets

| | | | | |
|---------|-------------|------------|----------------|------------|
| 1/6-6/6 | received on | 06.03.2006 | with letter of | 03.03.2006 |
|---------|-------------|------------|----------------|------------|

1. The present application is a divisional application based on the european patent application with number 04251667.4. This latter application (hereinafter called *earlier application*) was filed on 23.03.2004 and claimed priority of european application 03290754.5 filed on 25.03.2003.
2. The application does not meet the requirements of Article 76(1) EPC. The subject-matter of independent claims 1, 5, 9, 10 and 11 extends beyond the content of the earlier application as filed.

The address generator operating with the polynomial and table given in these claims has only been disclosed in the earlier application as operating with a predetermined number of OFDM carrier signals of $M_{\max}=4096$ (see page 14, lines 4-18).



3. The application discloses (see page 15, lines 19-31) switching between 2K, 8K and 4K modes, however the suitable address generator, as illustrated in figure 5, 6 and 7 respectively is used each time. The number of carriers given in the above-mentioned claims corresponds to the 2K and the 8K modes, but the polynomial and the permutation table correspond to the address generator of figure 7 which is disclosed to be used with 4K mode.

The address generator of any of the above-mentioned claims with a linear feedback shift register of eleven register stages and the use of an extra MSB, is suitable for addressing the 4096 subcarriers of the 4K mode, and not the 2048 subcarriers of the 2K mode or the 8192 subcarriers of the 8K mode. Therefore, even if the subject-matter of the above-mentioned claims were disclosed in the earlier application, no inventive step in the sense of Article 56 EPC would be involved, because there would be no problem to be solved. Therefore the requirements of Article 52(1) EPC would not have been fulfilled.

4. It appears that prosecution of the application will lead to refusal under Article 97(1) EPC.



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Date
13.04.06

Reference
P016714EPB - JD

Application No./Patent No.
06075518.8 -

Applicant/Proprietor
SONY UNITED KINGDOM LIMITED

Communication

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The extended European search report includes, pursuant to Rule 44a EPC, the European search report (R. 44 EPC) or the partial European search report/ declaration of no search (R. 45 EPC) and the European search opinion.

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The following have been approved:

☒ Abstract

☐ Title

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The following figure will be published together with the abstract: 7

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| DOCUMENTS CONSIDERED TO BE RELEVANT | | | |
|---|--|---|--|
| Category | Citation of document with indication, where appropriate, of relevant passages | Relevant to claim | CLASSIFICATION OF THE APPLICATION (IPC) |
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| A | ANONYMOUS: "Features of ISDB-T" DIGITAL BROADCASTING EXPERTS GROUP (DIBEG), [Online] 28 July 2000 (2000-07-28), XP002249911 Retrieved from the Internet: URL:http://www.dibeg.org/PressR/Brazil/com ments730b.PDF> [retrieved on 2003-08-01] * page 1, paragraph 4 * | 1,5,9-11 | |
| | | | TECHNICAL FIELDS SEARCHED (IPC) |
| | | | H04L H03M H04N |
| The present search report has been drawn up for all claims | | | |
| Place of search The Hague | | Date of completion of the search 5 April 2006 | Examiner Koukourlis, S |
| CATEGORY OF CITED DOCUMENTS | | | |
| X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document | | T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document | |

Filed
3/29/04



Bescheid/Protokoll(Anlage)

Communication/Minutes(Annex)

Notification/Procès-verbal(Annexe)

**Datum
Date
Date**

see Form 1507

**Blatt
Sheet
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1

**Anmelde-Nr.:
Application No.:
Demande n°:** 06 075 518.8

- The application and the invention to which it relates seem to meet the requirements of the EPC. Upon presence of a valid request for examination and consideration by the examining division, a communication under Rule 51(4) EPC may be issued.

EP 06 07 5518

05-04-2006

| Patent document cited in search report | Publication date | Patent family member(s) | Publication date | |
|---|---------------------|----------------------------|---------------------|------------|
| US 6353900 | B1 | 05-03-2002 | US 6304985 B1 | 16-10-2001 |